

**Notice of Allowability**

Application No.

10/806,678

Applicant(s)

MILLER ET AL.

Examiner

Art Unit

James M. Hewitt

3679

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to replies filed 6/20/05 & 9/7/05.
2. ☒ The allowed claim(s) is/are 1, 7-10 and 3-6 which will appear as 1-9 respectively when the patent issues.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

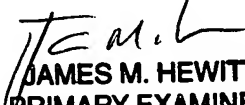
\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**JAMES M. HEWITT**  
**PRIMARY EXAMINER**

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Philip Dalton on 11/8/05.

The application has been amended as follows:

In claim 4 line 3, the phrase "formed over" has been replaced with --embedding--.

In claim 4 line 4, "shoulder" has been replaced with --shoulder, the first and second cuffs having a tongue and groove, respectively, adapted for mating when the first cuff is inserted into the second cuff--.

In claim 5 line 5, the phrase "formed around the periphery of" has been replaced with --embedding--.

In claim 5 line 6, the phrase "formed around the periphery of" has been replaced with --embedding--.

In claim 6 lines 2-3, the phrase "molding first and second mating, plastic cuffs around the periphery of the respective first and second pipe ends" has been replaced with the phrase --embedding the first and second pipe ends in respective first and second plastic cuffs, the first and second cuffs having a tongue and groove, respectively, adapted for mating when the first cuff is inserted into the second cuff--.

In claim 7 line 5, --longitudinal-- has been inserted before "axes".

The following changes to the drawings have been approved by the examiner and agreed upon by applicant: In Figures 4, 5 and 8, the cross-hatching for the cuffs should correspond to plastic and not to metal. In Figure 8, the cross-hatching for the welds should correspond to plastic. See MPEP 608.02. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

### **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance:

The prior art of record does not disclose, singly or in combination, a pipe assembly as claimed in detail in claims 1, 3 and 4, or components for a composite metal and plastic pipe assembly as claimed in detail in claim 5, or a method for fastening and sealing first and second pipes as claimed in detail in claim 6.

The closest prior art of record includes Kanao (US 5,429,397) and Seung-Kyu (US 6,581,984).

With respect to claims 1 and 4-6, at the least, neither reference teaches or fairly suggests that the pipe ends are embedded in plastic cuffs or that the cuffs form a tongue and groove joint.

With respect to claim 3, neither reference teaches or fairly suggests first and second cuffs forming a tongue and groove joint, first and second wire hoops and bolt fasteners for tightening the first and second hoops and the first and second pipe ends

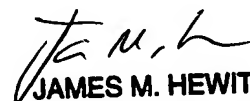
axially, to seat the first and second pipe ends against the first and second cuffs, seat the first and second cuffs against one another, and seal the pipe ends against the cuffs.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M. Hewitt whose telephone number is 571-272-7084.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
JAMES M. HEWITT  
PRIMARY EXAMINER